

**PLANNING BOARD MEETING MINUTES
TUESDAY, MARCH 20, 2007**

MEMBERS PRESENT: Paula Caron, Chair
Jay Cruz
John DiPasquale
Paul Fontaine, Jr.
Nancy Maynard
Michael DiPietro (new member)

MEMBERS ABSENT: Mike Hurley, (Vice Chair)

PLANNING OFFICE: David Streb, Mike O'Hara

Call to Order

Meeting called to order at 6:05 p.m. in the Veteran's Room, First Floor, City Hall.

Communications

For Board's information - plans by Omnipoint/T-Mobile to have a wireless communications facility hidden in the St. Joseph Church steeple on Woodland Street. Such a concealed facility is "by right" - not requiring planning board approval.

Zoning amendment notices from area towns were passed around for review.

Board discussed Council Petition 9-04 – abandoning a portion of First Street, later revised to abandonment of Middle Street Lane from First Street to Second Street. City Clerk was waiting for a Planning Board report. The Board voted to recommend that City Council give the petition leave to withdraw.

Chamberlain Hill condos, Franklin Rd.

One condition of Special Permit for this project required a contribution \$25,000 *"that shall be utilized for the making of safety improvements at the Reingold School Campus as directed by the Planning Department and the School Department."* A sketch plan showing proposed "safety improvements" was shown to the Board. Plan shows a curved driveway from Depot Street to Reingold School, and the layout for a possible ANR lot. There is a proposal to have Bovenzi's crews do the work instead.

Mr. Streb noted that Bovenzi could also do the ANR engineering as part of the services.

The Board expressed the willingness to modify the decision when the School Department and the city decide what they want to do.

Discussion on petition by Mr. Cruz to start the preliminary process to allow wind turbines by special permit via a zoning amendment. There was some discussion regarding the benefit to the city that would accrue from a wind project on city land in partnership with a private developer. Agreed to investigate and continue discussion at a future meeting.

Discussion by the Board in reference to petition #33-07 to amend the City Code by requiring permit for a street tree within 5 feet of a sidewalk. No decision was made.

Meeting Minutes

Motion made & seconded to approve minutes of the February 13 & February 20 meetings, as corrected. Vote unanimous to approve.

ANR plans

The Board reviewed and endorsed the following "ANR" plans:

Goodfellow Drive, Hoeske & Aronow

Adjustment of common property line between 84 & 92 Goodfellow Drive to resolve issue of one dwelling built too close to side line.

First Street, Montachusett Enterprise Center, Inc.

Parcel proposed to be split into two "infill" lots, 9,814 and 8,922 sq. ft. Decision postponed until after infill lot Special Permit hearing later in meeting.

MINOR SITE PLAN REVIEW

Seney, 59 Culley St. revisions

Voting members present: Caron, Cruz, DiPasquale, Fontaine, Maynard (5)

Action: Amendment Approved

Steve Seney requested that the fence along the edge of his property facing the parking lot of Slattery's Restaurant be eliminated from the plan, and that paving in front of the building be allowed.

Mr. Streb stated that since the area of proposed paving is in the public layout of Culley Street, permission to do that would be in the purview of the Department of Public Works.

Discussion ensued among the board regarding whether a fence should be required.

Board voted unanimously to amend the site plan to:

- eliminate the fence along the east parking lot edge (adjacent to Slattery's),
but review the situation after one year.
- get permission from the DPW prior to paving in front of building.
- install and maintain landscaping in front of building.

The fence along Brier Ave. should remain as approved.

PUBLIC HEARINGS

Special Permit - Montachusett Enterprise Center, First St., infill lots (2)

Voting members present: Caron, Cruz, DiPasquale, Fontaine, Maynard (5)

Action: Approved

[Note: Second application -- a previous infill lot Special Permit application had been withdrawn without prejudice at the Feb. 20 meeting]

Chris Deloge of Whitman and Bingham and Laila Michaud of M.E.C. presented the proposed plan. The 100-year floodplain had been added to the plan.

Mr. Fontaine asked how far the right rear corner of the right-most house was from the slope. Chris responded about ten feet.

Bill Alleva, owner of the property, spoke in favor of the project. He's been picking up rubbish in that area for years, and says having the houses will be good for the neighborhood.

Laila Michaud of M.E.C. said it would be a good project. Monty Tech students will build the two houses, and each will be affordable.

Mr. Fontaine said that he'd like to see a covered porch over the entry area.

There was no public comment.

Public hearing closed at 6:58 p.m.

Motion made (Mr. Fontaine) and seconded (Mr. Cruz) to approve Special Permit subject to an 8-foot high decorative fence to the rear along the top of the slope, concrete berm at the end of each drive, covered

porche over the entry, the usual infill lot conditions, and that the approval is tied to MEC being the project developer. If the property is sold prior to completion the approval is void.
Voted 5-0 to approve Special Permit.

Mr. Cruz left the meeting.

Board agreed to take out of order from the agenda the concept plan for
1236-1238 Water Street, Montachusett Enterprise Center, duplex

Laila Michaud gave brief presentation on proposed duplex at 1238 Water Street -- replaces structure that burned down 2+ years ago. They will be submitting Special Permit application. The Board said that they'd be looking at more area for yard, architectural relief, and that MEC didn't have to remove the bituminous concrete on the adjacent railroad property as shown on the plans. Also, they'd like to see one of the two units owner-occupied.

Special Permit extension - Groop/Townview Towers

The Board reviewed letter from Stephen Gardiner, CenterPoint Foundation requesting a six-month extension on Special Permit #05-2 (to convert 16 Prichard Street into assisted living facility.)

The Board voted unanimously to grant a six-month extension to start the project, to September 29, 2007.

Special Permit - Edgewater Construction, Kimball St., infill lot (cont'd from 2-20-07)

Voting members present: Caron, DiPasquale, Fontaine, Maynard (4)

Voting members missing: Cruz, Hurley

Action: continued to April 17

The Board could not re-open the hearing since at least five members who were at the last hearing were not present.

M.E.C.'s First Street ANR signed by board

Preliminary subdivision plan - Ashburnham St., Elbthal (taken out of order)

Voting members present: Caron, DiPasquale, Fontaine, Maynard (4)

Action: no action

Property owner Arthur Elbthal spoke briefly about the project, explaining it was virtually identical to a preliminary plan approved in April 2001. Said that he was only proposing to develop half the site, and that proposed lot sizes range from 16,000 to 91,000 square feet. He introduced Mark Piermarini of Hamwey Engineering. Mark stated that the proposed roadway length totals 4,140 feet, and will be 28' wide.

Mr. Elbthal said that the architectural style will be capes, colonials, hip roof, garrison, but no ranches. Shooting for middle income buyers (\$300-450K), no luxury or entry-level houses.

Ms. Caron reminded everyone that this was preliminary plan, and explained purpose and procedure.

The Board said they'll want to see granite curbing.

Dr. Kendra-Jo Godin, 11 Stickney Road, said she's concerned about her water pressure. Also concerned about running water becoming stagnant and causing West Nile Virus. Also concerned about noise and impacts on wildlife. Will there be a noise buffer? Is this just a first phase, and will there be additional phases?

Donna Crown, 421 Ashburnham St., proposed detention pond abuts a field she uses for her animals. Will this project displace the water and cause her field to flood?

Ron Fitzgibbons, 583 Ashburnham St. said that all of Stickney Road drains onto this site. He has culvert that goes under his house.

Also, Lynnda Crabtree, 535 Ashburnham St. said that she has a culvert under her porch that drains water from the other side of street.

Mark Piermarini said that once they get a survey they'll figure out the drainage issues.

Michael DePietro, the new Planning Board member joined the meeting. (7:42 p.m.)

Ken LaBombard, Ashburnham St. - the city raised the speed limit to 45 mph two years ago. We should make sure applicant has a traffic study done.

Lynnda Crabtree, 535 Ashburnham St. asked about electric service to the site. Answer - will be underground.

Someone asked about sewage service, and whether there'd be backups that result from this development.

Someone asked whether the river would be affected.

John Delorme, 617 Ashburnham St. said that the wide open spaces will be lost, and that the area should be considered for conservation. Another gentleman echoed that point.

Dr. Godin said that the traffic in the area is horrible.

Dominic DiBiasi owns abutting property, said that he's in favor of the plan, and asked if the Board would require the developer to put a stub road to access his property to the rear in the future.

Ms. Caron said that they would not, and suggested that he talk to the applicant about it.

Mr. Fontaine requested that applicant bring in examples of style of housing with the definitive plan.

Board made no decision on preliminary plan, but planning office will summarize comments and concerns raised and send to applicant.

Special Permit - Hill & Morrison, Leroy Street, infill lot

Voting members present: Caron, DiPasquale, Fontaine, Maynard, DiPietro (5)

Action: withdrawn without prejudice.

Applicants informed that since only five members present, all five members would have to vote in favor for Special Permit to be granted. They were willing to proceed.

Benjamin Hill and Sean Morrissey presented plan for 32' x 38' single-family dwelling on 5,282 sq. ft. lot which adjoins Elmwood Avenue, a paper street. They have agreement to purchase the lot. Lot was created on 1923 plan - never consolidated with adjoining property.

Nancy Maynard expressed concern that the side setback was only 8 feet.

Michael O'Hara showed the board a copy of an old plat and a GIS map that showed lot sizes in the area.

James McGregor, 82 Leroy St., said that the area is getting squeezed with new development. He looked at buying the lot but it was too small for a garage. The lot is too small for a house.

Nancy McGregor (next door), 82 Leroy St. – Debbie (owner of lot) should have sold the land for the condos on Pershing Street, but she didn't. It's too small for a house.

Michael McLaughlin, ZBA member – The infill lot provision is available in certain districts to allow for redevelopment of lots that previously held a structure. We have to be careful about creating infill lots.

Mr. Hill asked to withdraw the application without prejudice. Board voted unanimously to give project leave to withdraw.

The applicant said they'd see if they could use the paper street to increase the lot size.

OTHER BUSINESS

Preliminary subdivision plan - Valley St., Edgewater Homes

Voting members present: Caron, DiPasquale, Fontaine, Maynard, DiPietro (5)

Action: no action

Atty. Watts, representing Edgewater Homes presented plans. Stated that Valley Street and Valley Street Way are public ways laid out in 1950. Some sewage & drain lines were installed in road. He introduced Paul Grasciewicz, of Graz Engineering, who stated there is already sewage and drainage in the street. Proposing to create five building lots and one non-buildable lot with detention basin. They know they have grading issues they have to work out. They are proposing to extend water and sewer to the site. They are showing sidewalks on one side – would prefer sidewalks on neither side. Sewer would be gravity.

Water Department submitted comments that the proposed water system would not be acceptable, as it would create a dead end.

Ralph Romano II, 20 Romano Avenue – Said that Valley used to be flooded all the time, so the city installed a drainage line in the 1970s. Also, he proposed changing the name of the road, or have developer install a gravel road to connect the two parts of Valley Street. Can't have two separate roads named Valley Street

Louis Bellabarba, 95 Valley Street – He wouldn't want to see the gap in Valley Street opened up and connected. He'd rather they change the name. He's also concerned about water.

Lisa and David Skaife, 258 Albee Street – there's a cliff behind their house. Are they going to cut into the slope? She wants her neighborhood to stay the way it is.

John Doucette, 110 Valley Street – He's had a problem with water at his house. Same developer constructed their house – would recommend extra drainage work be done around foundations. Valley Street becomes like a swamp. Development upstream should improve the drainage.

Mike O'Hara asked if the sewer was put in '55 and '76, whatever became of the project?

Ralph Romano II said that the city put in drainage in the 70s to drain a seasonal pond. He wondered if the pipe was sufficiently sized, and if they are combined sewers. He said that the water drains down to that point from between Canton & Albee Streets from as far away as Cleveland Street.

David Clark, Ward 1 Councilor, asked about the process.

Ms. Caron explained about the preliminary followed by a definitive submittal, and that Conservation Commission would be involved.

Atty. Watts will be submitting a filing with Conservation Commission.

Additional issues raised:

- Need perimeter drains around foundations.
- Camera drain lines to see if blockages and document condition of pipe. *Locate outlet to drain pipe and provide remedy if the extra flow would create any issues.*
- Change street name.

- Contact abutters on either side of "Valley Street Place" (not present at meeting) to inform them of plan. Possible pavement encroachment and access issues may need to be resolved.
- The drainage line runs directly under the basements of some homes on lower Valley St. – concern of pipe sizing and condition.
- Limit cut/fill of slope behind 258 Albee St. property.

Board made no decision on preliminary plan, but planning office will summarize comments and concerns and send to applicant.

Special Permit extension - Gelinas, Pearl Hill Rd.

Voting members present: Caron, DiPasquale, Fontaine, Maynard, DiPietro (5)

Action: Amendment Approved

Atty. Peter Campobasso, Robert Eyles, Rick Healey of Foster-Healey, Atty. Gelinas present

Eyles Contracting had requested modification of two conditions of Special Permit #05-13 for a flexible development on Gelinas property, 267 Pearl Hill Road. He asked that all time constraints to start and finishing project be waived due to market conditions. Ms. Caron pointed out that the statute states that construction must start within two years.

After some discussion, the Board voted unanimously to extend period of time to break ground to five years from April 2007, and eliminate item #13 in the Special Permit decision, the time period provision for completion.

Discussion regarding possible revisions to Subdivision Regulations was postponed to the next meeting.

Meeting adjourned: 9:30 p.m.

Next meeting: April 17, 2007

minutes approved: April 17, 2007